

## PROFFER OF FACTS

Shortly before 8 p.m. on Tuesday, October 2, 2012, defendant Samuel Nelson saw the decedent, Darnell Howard, near 30<sup>th</sup> Street SE and Naylor Road SE in Washington, DC. The night before, Mr. Howard and an individual known as "Snake" had robbed the defendant of approximately \$50-60, and the defendant was still upset about that. The defendant approached Mr. Howard, and a verbal altercation ensued. The verbal altercation turned physical, and during the fight, the defendant pulled out a butcher knife and proceeded to stab Mr. Howard, who was unarmed, several times about the body. When Mr. Howard fell to the ground, the defendant continued to kick him in the head and stab him. Mr. Howard was subsequently transported to Washington Hospital Center's MedStar Unit, where he succumbed to his injuries and was pronounced dead at 8:40 p.m. After stabbing Mr. Howard, the defendant then walked away and was stopped minutes later by police officers near the intersection of 28<sup>th</sup> Street SE and Naylor Road SE. He agreed to accompany the police to the Homicide Branch for a voluntary interview. After being read his *Miranda* rights, the defendant waived them and confessed to stabbing Mr. Howard. He was subsequently arrested.

The defendant acknowledges that, when he stabbed Mr. Howard, he intended to kill him or to inflict serious bodily injury on him, or that he acted with a conscious disregard of an extreme risk of death or serious bodily injury to him. The defendant further acknowledges that, in repeatedly stabbing Mr. Howard, he did not act in self-defense as a matter of law.

### DEFENDANT'S ACKNOWLEDGMENT

I have read and discussed the above Proffer of Facts with my attorney, whose signature is below. I agree, and acknowledge by my signature, that this Proffer of Facts is true and correct.

Date: 1/3/13

Samuel Nelson  
SAMUEL NELSON  
Defendant

### ATTORNEY'S ACKNOWLEDGMENT

I have read and discussed the above Proffer of Facts with my client, Samuel Nelson, whose signature appears above. I know of no reason why his adoption of the above Proffer of Facts is not knowing, voluntary, or intelligent, or of any other reason why his guilty plea to Voluntary Manslaughter While Armed, based on the above Proffer of Facts, should not be accepted by the Court.

Date: 1/3/13

Dana Page  
Dana Page  
Attorney for Defendant